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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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MM31/0504

EXAMINER
SMITH, M

ART UNIT
2875

PAPER NUMBER

DATE MAILED: 05/04/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/878,199

Applicant(s)
Kenji Yoneda

Examiner
Michael Smith

Group Art Unit
2875



☒ Responsive to communication(s) filed on Jun 18, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1 and 2 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1 and 2 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2875

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.
3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 U.S.C. § 112

4. Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 1 recites the limitation "the side" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2875

Claim Rejections - 35 U.S.C. § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borgert et al (5,519,496) in view of Huang (5,420,773).

8. Borgert et al discloses a lighting unit (12) comprising a plurality of printed circuit boards, having a concentric circular hole, wherein a plurality of illuminants are embedded in the board on a concave side, and wherein the illuminants give off a cone of light (see col. 3, line 33 to col. 4, line 15). The lighting unit is made of flexible circuit boards, having surface mounted LEDs, in which the boards may be bent into predetermined shapes, thereby reducing the cost and complexity compared to known lighting systems (see col. 2, lines 25-30).

9. Borgert does not expressly disclose that one of the predetermined shapes may be a truncated cone.

10. Huang discloses a lamp having a truncated cone structure comprising a method of forming the truncated cone from a flexible material including the steps of:

forming a flexible sheet material having two sides in a planar state,

bending the sheet material and joining the two sides, forming a truncated cone.

Art Unit: 2875

Borgert et al and Huang are analogous art because they are from the same field of endeavor, the illumination field.


11. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the method of making a truncated cone teaching of Huang in the process of making the lighting unit of flexible circuit boards of Borgert et al for the purpose of further reducing cost and complexity by forming the lighting unit with a one piece construction.

Conclusion

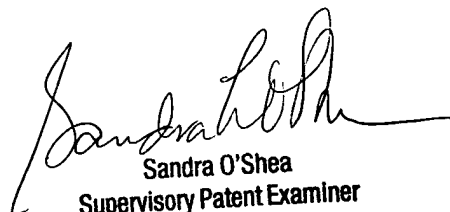
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Japanese Patent 4-241476 shows a concave circuit board arrangement.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Smith whose telephone number is (703) 305-8528.


M.S.

April 26, 1999


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800